

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED *in C'ville*
AUG 17 2007
JOHN F. CORCORAN, CLERK
BY: *J. Ashlee*
DEPUTY CLERK

KENNETH W. HAMSHAR,

Plaintiff,

v.

MICHAEL J. ASTRUE, COMMISSIONER OF
SOCIAL SECURITY,

Defendant

CIVIL No. 3:06cv00052

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on Plaintiff's Motion for Award of Attorney Fee Under the Equal Access to Justice Act, filed on July 10, 2007 (docket entry no. 18).

Plaintiff's counsel requested an award of attorney's fees of \$6,025. This matter was referred to the Honorable B. Waugh Crigler, United States Magistrate Judge, to make proposed findings of fact and a recommendation. Magistrate Judge Crigler filed his Report and Recommendation ("Report") on July 30, 2007. The Report stated that the parties had stipulated to an award of \$5,400 pursuant to 28 U.S.C. § 2412(d), recommended that an order enter granting Plaintiff's counsel \$5,400, and gave the parties ten days within which to file objections. After a review of record and no objection having been filed to the Report recommending payment of the fee, it is hereby ORDERED that:

(1) the Report and Recommendation of the United States Magistrate Judge filed July 30, 2007 be ADOPTED in its entirety;

(2) Plaintiff's motion (docket entry no. 18) be GRANTED IN PART; and

(3) C. Cooper Geraty, Esq. be awarded \$5,400.00 under 28 U.S.C. §
2412(d).

It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all
counsel of record.

ENTERED:

William C. Mon!
United States District Judge

August 17, 2007
Date